

**DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

(Under 37 CFR § 1.63; includes reference to PCT International Applications)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention ENTITLED:

**POLYNUCLEOTIDE CONSTRUCTS AND USES THEREOF**

the specification of which:

- ☒ is attached hereto  
☐ was filed on \_\_\_\_\_ as a Continuation-in-Part application of United States Application Serial No. 09/787,562; as United States Application Serial No. \_\_\_\_\_  
☐ as a National Phase or Continuation or Continuation-in-Part or Divisional of PCT Application No. \_\_\_\_\_, filed and designating the U.S., and published as \_\_\_\_ on  
☐ with amendments through the date even herewith (if applicable, give details).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations; § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United State of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International applications designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign/PCT Application(s) [list additional applications on separate page]:

<u>Country (or PCT)</u>	<u>Application Number:</u>	<u>Filed (Day/Month/Year)</u>	Priority Claimed:	
			<u>Yes</u>	<u>No</u>
Great Britain	9901906.9	January 28, 1999	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Great Britain	9903538.8	February 16, 1999	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PCT	PCT/GB99/03181	September 22, 1999	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PCT	PCT/GB98/02885	September 23, 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States application listed below:

\_\_\_\_\_  
 (Application Number) (Filing Date)

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to

patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. (or U.S.-designating PCT) Application(s) [list additional applications on separate page]:

<u>U.S. Serial No.:</u>	<u>Filed (Day/Month/Year)</u>	<u>PCT Application No.</u>	<u>Status (patented, pending, abandoned)</u>
09/787,562	July 6, 2001		Pending

I hereby appoint Thomas J. Kowalski, Registration No. 32,147, and Frommer Lawrence & Haug LLP, or their duly appointed associate, my attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, to transact all business in the Patent and Trademark Office and in the Courts in connection therewith, to insert the Serial Number of the application in the space provided above, and to make any corrections of inadvertent typographical errors appearing in this document. I further specify that all communications about the application are to be directed to the following correspondence address:

Thomas J. Kowalski, Esq.  
c/o FROMMER LAWRENCE & HAUG LLP  
745 Fifth Avenue  
New York, NY 10151

Direct all telephone calls to: (212) 588-0800  
to the attention of: Thomas J. Kowalski

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like, so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR(S):

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of sole or first inventor:

Stuart Naylor

Residence:

64 Woodside Road, Amersham, Bucks, HP6 6AN Great Britain

Citizenship:

British

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of 2nd joint inventor (if any): Susan Mary Kingsman

Residence:

Greystones, Middle Street, Islip Oxfordshire OX5 2SG

Great Britain

Citizenship:

British

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of 3rd joint inventor (if any): Katie Binley

Residence:

17 Demesne Furze, Headington, Oxford, OX3 7XF Great Britain

Citizenship:

British

Post Office Address(es) of inventors [if different from residence]:

Frommer Lawrence & Haug, LLP File No.: 674523-2029.1 Serial No.: Filing Date:
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## ASSIGNMENT

We, **Stuart NAYLOR, Susan Mary KINGSMAN, and Katie BINLEY**, who reside respectively at: 64 Woodside Road, Amersham, Bucks, HP6 6AN Great Britain; Greystones, Middle Street, Islip Oxfordshire OX5 2SG Great Britain; and 17 Demesne Furze, Headington, Oxford, OX3 7XF Great Britain, respectively, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled: ***POLYNUCLEOTIDE CONSTRUCTS AND USES THEREOF*** and **Oxford BioMedica (UK) Limited** whose address is: Medawar Centre, Robert Robinson Avenue, The Oxford Science Park, Oxford OX4 4GA, Great Britain, and which, together with its successors and assigns is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits and privileges hereinafter recited, and of confirming the same or any part thereof heretofore acquired by Assignee.

Now, therefore, for valuable consideration furnished by Assignee to each of us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign and convey to and confirm in Assignee the entire right, title and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or discoveries or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;
2. Authorize Assignee to file and prosecute patent applications in any or all countries on any or all of said inventions and discoveries in our name or names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything

embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;

5. Bind our heirs and legal representatives, as well as each of ourselves to do, upon Assignee's request and at its expense, but without additional consideration to any of us, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by each of us or each of our heirs or representatives if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to each of us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in our control or in the control of our heirs or legal representatives and which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

The effective date of this instrument is the \_\_\_\_\_ day of \_\_\_\_\_.

In testimony of which we have affixed our signature.

\_\_\_\_\_  
Stuart NAYLOR

\_\_\_\_\_  
Susan Mary KINGSMAN

\_\_\_\_\_  
Katie BINLEY